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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CR. S-04-317 LKK
11)
Plaintiff,)
12) JOINT STIPULATION TO CONTINUE
v.) SENTENCING, CONTINUE HEARING ON
13) DEFENDANT'S MOTION FOR DIRECTED
JASON WILKISON,) VERDICT AND FOR A NEW TRIAL, AND
14) TO CONTINUE THE BRIEFING SCHEDULE
Defendant.)
15) Date: September 12, 2006
Time; 9:00 a.m.
16) Ctrm: Hon. Lawrence K. Karlton

17 The United States of America, through its counsel, McGregor W.
18 Scott, United States Attorney for the Eastern District of
19 California, and Kymberly A. Smith, Assistant United States Attorney,
20 and defendant Jason Wilkison, through his counsel, Jeffrey L.
21 Staniels, Assistant Federal Defendant, hereby submit this joint
22 stipulation to continue sentencing, continue hearing on defendant's
23 motion for directed verdict and for a new trial, and to continue the
24 briefing schedule.

25 The reasons for these requested continuances are as follows:

26 1. The Presentence Report (PSR) in this case has not been
27 completed. In conferring with the U.S. Probation Officer assigned
28 to this case, Linda Algers, this report is not expected to be

1 complete for a minimum of four additional weeks.

2 2. The delay in completing the PSR is due in part to the
3 defendant's request for additional time to gather and to present
4 supplemental information to Ms. Algers before the PSR can be
5 finalized.

6 3. Additionally, counsel for the government has been out of
7 the office from June 30 through July 6th, 2006, due in part to an
8 unexpected matter out of this district and today is her first day
9 back in the office. Counsel for the government is also scheduled to
10 be out of the office for a volunteer program the weeks of July 10,
11 2006, and July 31, 2006.

12 4. Counsel for the government also has several matters on
13 docket including a response in a complex wire-fraud case and a
14 response to an immigration appeal, both due at the end of this
15 month.

16 5. Ms. Algers, the Probation Officer in this matter, is also
17 scheduled to be out of her office for her pre-scheduled vacation
18 during this intervening time-period, and as stated, is waiting for
19 documentation from the defendant to complete her Presentence Report.

20 6. The defendant is currently out of custody pending
21 sentencing in this matter.

22 7. While the defendant was given approximately 30 days to file
23 his motion for a directed verdict and for a new trial, the
24 government was given only two weeks to respond. One of these weeks
25 included a federal holiday.

26 8. Neither the government, not the defendant, not Probation,
27 oppose this request.

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The parties would request the following schedule:

Sentencing Hearing September 26, 2006

Hearing on Defendant's
Motion for Directed Verdict
and For a New Trial September 12, 2006

Government's Response to
Defendant's Motion For a
New Trial August 29, 2006

Defendant's Reply, if any September 5, 2006

This request is reasonable and should be granted in the
furtherance of justice.

To expedite this stipulation and order, defense counsel has
authorized Assistant U.S. Attorney Kymberly A. Smith to sign on his
behalf.

DATED: July 7, 2006

Respectfully submitted,

McGREGOR W. SCOTT
United States Attorney

By: s/Kymberly A. Smith
KYMBERLY A. SMITH
Assistant U.S. Attorney


DATED: July 7, 2006

By: s/Jeffrey A. Staniels
JEFFREY A. STANIELS
Assistant U.S. Attorney

ORDER

IT IS SO ORDERED,

DATED: July 7, 2006


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT